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BY ECF

The Honorable Joseph F. Bianco
United States District Judge
United States District Court
100 Federal Plaza
Central Islip, New York 11722

RE: **Coggins v. County of Nassau et al.**
07-CV-3624 (JFB) (AKT)

Dear Judge Bianco:

This office represents Defendants County of Nassau, Nassau County Police Department and Police Officer James Vara (hereinafter "County Defendants"). We write at this time to comply with the Court's directive of September 28, 2012 wherein the Defendants were directed to advise the Court whether they intended to file a renewed motion for qualified immunity.

At this time, it would appear that Plaintiff intends to file a motion for leave to file a further amended complaint; however, it is not clear if the Amended Complaint will limit the issues in light of the *Rehberg* decision or add additional claims. Therefore, until such time as Plaintiff files his motion, our office is unable to make this determination.

Therefore, we respectfully request a further conference on this matter, or other directive from the Court regarding this issue.

Respectfully submitted,
/dcp/
Diane C. Petillo

cc: Valerie Cartwright, Esq., Attorney for Plaintiff, via ecf
Laurence Jeffrey Weingard, Esq., Attorney for Defendant Buonora, via ecf